

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

JUDICIARY & TRANSPORTATION COMMITTEES

THE TRADE INSTITUTE OF PITTSBURGH
7800 SUSQUEHANNA STREET
PITTSBURGH, PENNSYLVANIA

FRIDAY, OCTOBER 27, 2017
10:00 A.M.

PRESENTATION ON
DRIVER LICENSE SUSPENSIONS FOR
NON-DRIVING OFFENSES

BEFORE :

HONORABLE BARRY J. JOZWIAK, CHAIRMAN
HONORABLE DOM COSTA
HONORABLE JOSEPH PETRARCA
HONORABLE RONALD MARSICO
HONORABLE WILLIAM KELLER, MINORITY CHAIRMAN
HONORABLE MARIA P. DONATUCCI
HONORABLE WILLIAM C. KORTZ, II
HONORABLE RICK SACCONI
HONORABLE JOHN TAYLOR, MAJORITY CHAIRMAN
HONORABLE JAKE WHEATLEY
HONORABLE DAN MILLER
HONORABLE ED GAINEY

COMMITTEE STAFF PRESENT:

ERIC C. BUGAILE
EXECUTIVE DIRECTOR
TRANSPORTATION COMMITTEE

GREG MORELAND
RESEARCH ANALYST
MAJORITY HOUSE TRANSPORTATION COMMITTEE

MEREDITH BIGGICA
EXECUTIVE DIRECTOR
MINORITY HOUSE TRANSPORTATION COMMITTEE

I N D E X

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1 (Opening Remarks and Introduction)

2 CHAIRMAN JOZWIAK: We're going to do two
3 things. We're going to let our court reporter get
4 completely set up. We're going to make a little
5 shift. We're going to put this table facing the
6 audience so everybody can hear our testifiers.

7 CHAIRMAN JOZWIAK: We have the License
8 Control Division Manager.

9 MR. ARROYO: Good morning. My name is
10 Diosdado Arroyo. I'm the License Control Division
11 Manager for the Bureau of Driver Licensing at the
12 Pennsylvania Department of Transportation. On
13 behalf of Secretary Richards, thank you for the
14 opportunity to discuss these pieces of proposed
15 legislation, all of which are centered on the
16 suspension of driver's licenses.

17 As you know, driving is a privilege, not
18 a right. An individual earns a driver's license
19 based on the individual's demonstrated knowledge
20 and skills, and once it is received, the
21 individual is responsible for obeying traffic laws
22 and to make safe driving choices.

23 Clearly, there are well-defined
24 consequences, which may include suspension or even
25 revocation of driving privileges. The suspension

1 of driving privileges has been used for decades to
2 address poor driving behavior, and there is
3 research that it can be effective in reducing
4 traffic crashes.

5 However, suspensions are now used as a
6 mechanism to gain compliance with non-highway
7 safety or social nonconformance violations as
8 well. In general, PennDoT takes the position that
9 driving privilege suspensions should be imposed
10 only as a consequence for traffic violations and
11 actions that threaten traffic safety traffic, like
12 refusing chemical testing after a DUI arrest.

13 This is consistent with PennDoT's support
14 of House Bill 42, which eliminate driver's license
15 suspensions for non-highway safety violations.
16 Research has shown that driver's license
17 suspensions for non-highway safety reasons are
18 ineffective and dilute the effectiveness of
19 suspensions for highway safety convictions.

20 During the calendar year 2016 alone,
21 PennDoT received over 14,000 violations for
22 non-highway safety infractions, which are
23 processable both electronically and manually.
24 However, we estimate that nearly 7400 of these
25 violations had to be processed manually due to

1 inaccurate or incomplete defendant information.

2 This time-consuming process puts a strain
3 on the Department's resources. If enacted, House
4 Bill 42 would have some costs to update systems
5 and processes. In addition, there would some lost
6 restoration fees. With that said, for a 2013
7 study by the American Association of Motor Vehicle
8 Administrators, or AAMVA, that resulted in the
9 Best Practices Guide for Reducing Suspended
10 Drivers, there are significant benefits to
11 eliminating nondriver suspensions not only for
12 PennDoT, but also for the courts and law
13 enforcement.

14 Also, there is a significant impact,
15 especially to younger drivers who receive
16 nondriving violation suspensions. These
17 suspensions can effectively prevent them from
18 having the opportunity to reverse their life in a
19 positive way. While driving is a privilege, it is
20 a key part in ensuring employment.

21 For your convenience, I brought copies of
22 the study, and those have been handed out to the
23 Committee.

24 In addition, the Committee also asked
25 about the Department's comments related to House

1 Bill 163, which would eliminate driver's license
2 suspensions for a drug conviction and for a
3 conviction or adjudication of delinquency for
4 terroristic threats committed on any school
5 property for any person aged 21 or younger.

6 As I had mentioned earlier, based on
7 research that showed the ineffectiveness of
8 driver's license suspensions for nontraffic
9 violations, PennDOT supports this legislation
10 conditioned upon the adoption of House Resolution
11 76.

12 Federal law requires driver's license
13 suspensions for all convictions of drug offenses,
14 and PennDOT must submit an annual certification to
15 the Federal Highway Administration, or FHWA, to be
16 considered compliant with this law. When a state
17 fails to comply, FHWA is authorized to withdraw
18 federal funding from the state, either 8 or
19 10 percent of the funds appropriated to that state
20 under the Transportation Equity Act of the 21st
21 Century.

22 However, if the state opposes the
23 imposition of driver's license suspensions for
24 drug convictions, there is another option. States
25 may comply with this law by annually submitting a

1 certification to FHWA stating they are opposed to
2 the enactment or enforcement of a state law that
3 requires a license suspension or revocation based
4 on a drug conviction as well as certification that
5 both Houses of the Legislature have adopted a
6 resolution expressing their opposition to these
7 suspensions.

8 House Resolution 76 would serve that
9 purpose for Pennsylvania and would need to be
10 adopted concurrently with House Bill 163 so as to
11 not jeopardize Pennsylvania's share of federal
12 highway funding.

13 For perspective, in 2016, PennDoT
14 received and processed approximately 27,000 drug
15 conviction violations. As with House Bill 42,
16 there would be some cost to implement House Bill
17 163 to update systems and processes if this
18 legislation were enacted. In addition, there
19 would be some lost restoration fees. But as noted
20 earlier, PennDoT believes based on the study done
21 by AAMVA that the benefits to PennDoT, law
22 enforcement, the courts and individuals themselves
23 far outweigh those fiscal impacts.

24 Lastly, I'll discuss HB 1777, which would
25 establish a 12-month amnesty program by the courts

1 in cooperation with PennDoT.

2 The bill would allow qualified
3 individuals to reinstate their suspended driving
4 privileges and remove points from their records.
5 The amnesty would be available only where the
6 licensee had failed to pay or has become
7 delinquent in paying the fines, fees and penalties
8 owed to the court for certain traffic violations.

9 PennDoT is neutral on this legislation.
10 It should be noted, however, as currently written,
11 a convicted driver who receives a suspension and
12 becomes delinquent in paying the associated fine
13 may be granted amnesty under the bill upon payment
14 of the fine. The amnesty would excuse that driver
15 from serving the remainder of the suspension.

16 In contrast, a convicted driver who
17 receives a suspension and promptly pays in full
18 the associated fine would have to serve the full
19 suspension. This discrepancy raises equal
20 protection issues.

21 The driver granted amnesty and the driver
22 who promptly pays the fine are treated differently
23 even though both have paid the fine. As with
24 previous legislation, changes to PennDoT's
25 driver's licensing process would be necessary.

1 In closing, I would note that the AAMVA
2 2013 Best Practices Guide for reducing suspended
3 drivers states that the cost of arresting,
4 processing, administering and enforcing social
5 nonconformance-related driver's license
6 suspensions create a significant strain on budgets
7 and other resources and detract from highway and
8 public safety priorities. The elimination of
9 driver's license suspensions for reasons other
10 than traffic safety violations would provide
11 relief from the ongoing strain on resources.

12 Moreover, allowing individuals who have
13 not committed a traffic violation to retain their
14 driving privileges will help obtain and maintain
15 employment which has been shown to decrease the
16 chance of recidivism.

17 Thank you again for this opportunity to
18 support this legislation. I will be more than
19 happy to take questions from the Committee at this
20 point.

21 CHAIRMAN JOZWIAK: Thank you, sir. The
22 first question will be going to the discrepancy
23 you described in Representative Wheatley's bill
24 and ask if you think you should go that next step
25 for those people who did pay their fines and then

1 had excess suspension.

2 How would you suggest given this thought
3 about how to rectify that equal protection
4 argument?

5 MR. ARROYO: That would be an option that
6 would essentially not penalize or, for lack of a
7 better word, not have the playing field fair for
8 the individual who has paid their fine in full
9 immediately and they would still have to serve
10 their suspension.

11 CHAIRMAN JOZWIAK: We have to consider
12 that. I'm sorry for jumping around.

13 I'll give you a chance to respond to
14 Mr. Arroyo's comments.

15 REPRESENTATIVE WHEATLEY: I can
16 appreciate PennDoT's position, but it's similar to
17 what we've done with tax amnesty. There's the
18 same argument. You have taxpayers who paid their
19 taxes on time and fairly. But we just recently
20 twice have allowed for an amnesty period for
21 people who have not paid their taxes to allow for
22 them to catch up.

23 It's the same kind of dilemma with the
24 same types of, I think, benefit for the
25 Commonwealth, because there are some people when

1 you give the extra incentives, especially those
2 who have had a history of years and years of
3 additional penalties that are attached on them,
4 that they are not going to ever come into our
5 system in a legal way, but they're still
6 endangering because they're going to still drive.

7 So I think that's something that the
8 general assembly should consider. It's the exact
9 same principle as the tax amnesty.

10 CHAIRMAN JOZWIAK: I think that's a great
11 point because the difference with your tax amnesty
12 example is that someone will be allowed to drive
13 and someone will not who paid the same price.

14 Representative Miller.

15 REPRESENTATIVE MILLER: Thank you. On
16 that question -- and I apologize. I can't recall
17 every aspect of Representative Wheatley's bill.
18 Somebody goes in, gets found guilty, and gets the
19 called-for license suspension for whatever, pays
20 the fine and still has to do the 12 months.
21 Somebody loses their license for 12 months. They
22 cannot drive.

23 My point is, wouldn't they still have the
24 12 months? Wouldn't they have just lost the same
25 amount of time anyhow? If you paid the fine on

1 the first day of your suspension, the last day of
2 suspension, that doesn't matter; right?

3 MR. ARROYO: Well, that would fall on the
4 courts. Someone convicted of -- say fleeing and
5 eluding would give someone a 12-month suspension.
6 So the individual that's convicted of fleeing and
7 eluding would receive a one-year suspension,
8 follow-on suspension. And say they paid their
9 fine in full.

10 You have another individual who's
11 convicted of the very same violation and receives
12 a 12-month suspension, but, say, they're not able
13 to pay the full fine up front. They set up a
14 payment arrangement. That individual then goes
15 into default. So this amnesty bill would allow
16 that individual to pay a reduced penalty or fee
17 and then have their suspension term immediately
18 rescinded, have their driving privileges
19 immediately reinstated.

20 REPRESENTATIVE MILLER: I thought it was
21 the original penalty. It's not the big baby
22 original penalty, the first original penalty?

23 MR. ARROYO: The fine associated with
24 fleeing and eluding.

25 REPRESENTATIVE MILLER: Let's say it's a

1 thousand bucks. I have no idea. I thought the
2 bill -- correct me, Jake or anybody, if I got it
3 wrong -- I thought the bill was saying -- say, you
4 ended up getting three separate suspensions
5 because you owed a thousand bucks for fleeing and
6 eluding. I thought what it said is that it wipes
7 out everything additional that came up and you pay
8 what you were originally were supposed to pay.

9 REPRESENTATIVE WHEATLEY: From my
10 understanding, if your original penalty required a
11 12-month suspension as well, you would still serve
12 that, but most people would already be able to
13 prove that they've served that suspension.

14 So it's not that they would not have to
15 do whatever the fine -- whatever the original fine
16 and penalty was, they would have had to have met
17 those obligations before they could legally come
18 back to PennDOT and say I've done it.

19 So if there was a 12-month suspension
20 associated with it, they would have to serve that
21 12-month suspension on top of paying the fine
22 before they were able to actually to apply.

23 Now, what this bill is saying though is
24 if your original suspension is less than 11
25 points, then you can pay that fine without those

1 additional -- this is my understanding -- without
2 those additional associated things that you might
3 have gotten. So if you've been driving five years
4 and got additional suspensions after those, those
5 are the things that are wiped off that clears you
6 for going back to get your license.

7 REPRESENTATIVE MILLER: I'm looking at at
8 1593, Program Requirements on the bill, it looks
9 like section (b), and I see a hundred percent of
10 the original fine language. Perhaps it's
11 something that you can help me out later in
12 understanding.

13 My whole point is when you're talking
14 about an equal protection type of argument, what I
15 see is the elimination of late fines. Maybe that
16 would be something to talk about. My point is
17 whether you pay your fine on the first day of your
18 suspension or the last day of your suspension, as
19 far as I recall, that made no difference.

20 His bill would just say you're paying the
21 original fine still in its full, just absent late
22 fees that may come up for any subsequent offenses.
23 So I'm not entirely sure the equal protection
24 argument is there.

25 Let me ask my hopefully second question.

1 You mentioned mine and Rick's issues with 76 and
2 so forth. The one difference that I come about --
3 I wondering if you can give any thought about
4 it -- is that I still have some concern. There
5 are some states like I mentioned, Ohio for example
6 and Indiana is another one, where they instead of
7 doing a blanket -- there's no doubt Rick's idea is
8 simple and easier to do. Those states don't
9 eliminate all suspensions for drug possession.

10 Instead, what they do, both of those
11 states as an example, they give discretion to the
12 judge to tailor that, to use it as kind of a
13 carrot baiting stick, to go a long probation, say,
14 once I'm confident that you're not in line with A,
15 B and C, whether it be two months -- a kid maybe
16 went partying and for some reason was holding a
17 bag even though they've never used before versus
18 somebody who uses 15 bags of heroin a Saturday
19 night. So they tailor it between those two.

20 I'm wondering if that possible tailoring
21 is something you could speak to, not so much
22 whether you approve one way or another, but do you
23 have the capability of monitoring that?

24 MR. ARROYO: From the business side, the
25 IT side, I'm not sure if PennDoT would be able to

1 monitor. I see that as the courts being the
2 entity that's responsible for monitoring, making
3 these decisions.

4 Today currently, PennDOT is just a
5 receiver of the information once the disposition
6 has been rendered. We don't necessarily monitor
7 any type of compliance.

8 REPRESENTATIVE MILLER: Here's my point.
9 When an officer, let's say, pulled over somebody
10 for whatever reason and wants to check to see if
11 the license is suspended and the judge, in my
12 example going off of Ohio, goes the discretion
13 route and says you know what, you've given me two
14 screens showing you're in treatment, so forth, I'm
15 giving your license back, where you have your
16 license like in OLL to just go to work or to see
17 your kid or something else like that.

18 How can that work? How can that
19 flexibility be given to a judge in a way that the
20 officer would be able to verify the status of a
21 license? Because I'm sure they're not necessarily
22 following the judge.

23 MR. ARROYO: Is your example using the
24 preface the individual's driving privileges is
25 suspended or the individual was convicted in that

1 example?

2 REPRESENTATIVE MILLER: In this example,
3 say he's convicted, suspended for a period of
4 time, showed compliance for a month and the judge
5 said, I'm relieving you of the suspension as long
6 as you continue to show compliance on your
7 treatment program.

8 So instead of the mandatory six that they
9 might have gotten on a possession charge, the
10 judge said, you're showing me progress. I'm
11 letting you go with one. My belief is the police
12 in checking a license would be checking PennDOT
13 information.

14 MR. ARROYO: They would. If the court
15 makes a decision to rescind or restore that
16 individual with driving privileges, the court
17 would have to submit that information to us. And
18 if there's some type of law enacted that would
19 authorize that, then we would restore that
20 individual's driving privileges. So if they are
21 pulled over and law enforcement checks the record,
22 they will no longer be under suspension.

23 REPRESENTATIVE MILLER: So it sounds like
24 something that can be done. Correct?

25 MR. ARROYO: Yes. There would be an

1 option as well for an occupational limited
2 license. Currently, an individual convicted of a
3 drug violation is ineligible for an occupational
4 limited license.

5 REPRESENTATIVE MILLER: Thank you,
6 Mr. Chairman.

7 CHAIRMAN JOZWIAK: Representative
8 Donatucci.

9 REPRESENTATIVE DONATUCCI: Thank you for
10 your testimony.

11 MR. ARROYO: You're welcome.

12 REPRESENTATIVE DONATUCCI: Earlier in
13 your testimony, you mentioned that in 2016, there
14 were 14,000 nondriving violations. Can you tell
15 me the total amount of licenses currently
16 suspended for nondriving?

17 MR. ARROYO: For nondriving violations, I
18 wouldn't know that offhand. I could provide that
19 information to you.

20 REPRESENTATIVE DONATUCCI: Are there any
21 fines or fees associated with nondriving
22 suspensions?

23 MR. ARROYO: They are.

24 REPRESENTATIVE DONATUCCI: Is there a
25 high cost to PennDoT of the processing of

1 nondriving-related suspensions?

2 MR. ARROYO: It's an added cost. The
3 cost is basically absorbed in our daily operations
4 for processing the traffic violations as well.
5 It's just that they're an everyday operation. But
6 there is an added cost. If they would be
7 eliminated, there would be a cost savings.

8 REPRESENTATIVE DONATUCCI: Thank you.

9 CHAIRMAN JOZWIAK: Representative Don
10 Costa.

11 REPRESENTATIVE COSTA: Thank you,
12 Mr. Chairman.

13 Basically, it was my understanding or is
14 my understanding these bills and resolutions are
15 for nontraffic offenses. You were stating fleeing
16 and eluding. I can tell you Representative
17 Jozwiak and I as former law enforcement, we're
18 going to oppose it. I'm sure the law enforcement
19 community will oppose it.

20 MR. ARROYO: HB 1777 does include traffic
21 violations. It just excludes certain what you can
22 consider major violations, such as DUI, leaving
23 the scene of an accident or homicide by vehicle.
24 There's only a specific set of ineligible
25 violations. Other than that, HB 1777 will cover

1 traffic violations.

2 REPRESENTATIVE COSTA: So we're saying if
3 someone has accumulated 11 points or 10 points,
4 we're going to wipe that clean for speeding?
5 Let's face it, if you get 10 points, you're a
6 habitual offender.

7 MR. ARROYO: The representative can speak
8 to that. It's where the bill -- if the violation
9 that placed you under suspension -- correct me if
10 I'm wrong -- puts you over the point accumulation
11 that requires suspension, which is reaching 11
12 points or more, if amnesty is granted, then we
13 would remove those points and restore that
14 individual's operating privileges.

15 REPRESENTATIVE COSTA: I don't know.
16 Maybe you can speak to it, Jake. Fleeing and
17 eluding, that's one that I know that we could not
18 support in law enforcement because it causes
19 deaths. It causes accidents. It causes crashes.
20 That's a major violation.

21 CHAIRMAN JOZWIAK: Representative
22 Wheatley can respond.

23 REPRESENTATIVE WHEATLEY: I will say
24 this: We're very much open to any suggestions in
25 working with this and to process it.

1 It is my understanding that, again, it's
2 only if the original offense -- so, again, we were
3 trying to take people back to their original
4 offenses. If the original offense puts you over
5 the point system at 11 points, then even when you
6 pay your fine, you will still have to wait the
7 time limit to get you under the 11 before you
8 could get your restoration letter to go to
9 PennDoT. You still have to do that.

10 So that wouldn't take away from law
11 enforcement's concerns, because the driver would
12 still have to pay their penance for their original
13 fine.

14 REPRESENTATIVE COSTA: Thank you, Jake.

15 CHAIRMAN JOZWIAK: Representative Kortz.

16 REPRESENTATIVE KORTZ: Thank you,
17 Mr. Chairman.

18 Mr. Arroyo, thank you for your testimony.

19 MR. ARROYO: You're welcome.

20 REPRESENTATIVE KORTZ: The amnesty
21 program in 1976, can you tell me, was it a blanket
22 amnesty program for everything, or was it only
23 supposed to be for -- can you get that
24 information?

25 MR. ARROYO: I can get that information.

1 That's a little before my time.

2 CHAIRMAN JOZWIAK: Representative Gainey.

3 REPRESENTATIVE GAINEY: Thank you,

4 Mr. Chairman.

5 My question involves nondriving issues,
6 when a vehicle is not driven. How many are
7 related to child support?

8 MR. ARROYO: I don't have that number. I
9 can provide you with a number on driver
10 suspensions that have occurred in a specific
11 timeframe.

12 REPRESENTATIVE GAINEY: I appreciate
13 that. Can I get an idea if you go back from 2010
14 all the way up, for example, five years, or just
15 five years of how many licenses have been
16 suspended for failure to pay child support. I'm
17 curious because I haven't seen that part, but I've
18 seen it keep people out of work.

19 CHAIRMAN JOZWIAK: Are there any other
20 questions? Thank you.

21 MR. ARROYO: You're welcome.

22 CHAIRMAN JOZWIAK: I'm sure you will be
23 involved in this process. Thank you.

24 Can we assemble our next panel talking
25 about amnesty legislation. The sisterly group

1 will testify about House Bill 1777.

2 Gentlemen, just for the benefit of court
3 stenographer, prior to you speaking, just identify
4 yourself and your organization.

5 Sir, we'll begin with you.

6 MR. ALBRECHT: Good morning. My name is
7 Justin Albrecht from the APRI Institute. I'm very
8 honored to be able to include my story in those
9 heard today concerning the challenges that the
10 driver's license law creates for people trying to
11 turn their life around. The story of me losing my
12 license goes back to 1998.

13 I was charged with a drug-related
14 offense. I was sent a letter from the DMV when I
15 was sentenced telling me that my license was
16 suspended, but I was not told that I needed to
17 send in the notification to acknowledge the
18 suspension of my license. I just figured that my
19 suspension would start when I was released from
20 prison.

21 I completed my sentence and was living
22 responsibly abiding by the law. I looked into
23 getting my license so that I could work. I found
24 out my suspension hadn't started running down yet.
25 I sent in \$25 and found out that I had to wait two

1 years to apply for my driving privileges. I had a
2 two-year suspension.

3 Many years after I first started working
4 to get my license and following the law, I was
5 arrested again on another drug charge. This
6 arrest extended my suspension for another three
7 years. I've never been arrested for any traffic
8 moving violations, but due to drug charges, I
9 could not get back on my feet by getting a good
10 job without a driver's license. I made an honest
11 attempt to obtain a driver's license so that I get
12 a good paying job. But the current laws about my
13 past mistakes would restrict my future
14 opportunities.

15 I was denied benefit-paying permanent
16 jobs because I had no license. I couldn't work
17 for Mr. Rooter because they required me to have a
18 license. I was rejected for employment by the
19 county Parks and Recreation Department when I told
20 them I had a suspended driver's license. A family
21 member of mine told me about a high paying job
22 with the boilermakers union, but they couldn't
23 accept me without a driver's license.

24 These are all jobs that can pay rent,
25 utilities, groceries, tuitions and a car, the pay

1 for jobs that require a driver's license to help a
2 person save for a house, provide well for their
3 kids and the future generation. I would like to
4 have a chance to make the kind of salary that can
5 allow me to get ahead and achieve my dreams.

6 The current driver's license laws are
7 preventing me from doing that. I hope that the PA
8 lawmakers will offer occupational licenses to
9 ex-offenders who have found jobs without the
10 difficult application process that denies so many
11 people of their bread and butter license.

12 Men and women transitioning out of prison
13 who are fortunate enough to find a good job need
14 to be able to get to work. After serving their
15 time, a driver's license should not keep them from
16 getting a legitimate legal job. A payment plan
17 could work as well to help people pay off their
18 fines, fees and costs. No one has thousands of
19 dollars to pay off a lump sum fine all at once
20 when they have the cost of living to deal with
21 every day.

22 I want to thank everyone for listening to
23 me, and I hope those who have paid their debt to
24 society can move on with their lives and earn a
25 decent living because they have driving privileges

1 to get to work or driving for work duties if
2 necessary. Thank you.

3 CHAIRMAN JOZWIAK: Thank you.

4 Mr. Walton. Are you also with APRI?

5 MR. WALTON: Yes, sir. I'm the program
6 director.

7 CHAIRMAN JOZWIAK: You might have this
8 already incorporated in your testimony, but can
9 you give us a few sentences about that
10 organization as well.

11 MR. WALTON: The A. Philip Randolph
12 Institute, its mission is to identify, recruit and
13 train individuals from underserved,
14 under-represented and previously incarcerated
15 communities to build the kind of skills necessary
16 to have family-sustained careers.

17 Our goal is to simply transform
18 communities, raise per capita income, increase
19 home ownership and, as a result, improve public
20 safety. All of these things are so inter-related
21 into what goes on every day in urban America and
22 across this country.

23 CHAIRMAN JOZWIAK: Is that a
24 Pittsburgh-based organization?

25 MR. WALTON: It is a national

1 organization. We have a chapter here in
2 Pittsburgh. It is one of 132 chapters across the
3 United States.

4 CHAIRMAN JOZWIAK: So this is DeWitt
5 Walton from the Philip Randolph Institute.

6 MR. WALTON: Yes, sir.

7 CHAIRMAN JOZWIAK: Thank you very much.

8 MR. WALTON: I'm really blessed to be
9 here this afternoon, this morning, to have an
10 opportunity to share with you how critical it is
11 that the transportation committee moves
12 legislation forward that really gives people an
13 opportunity to rebuild their lives.

14 Far too often in our communities, people
15 who have made mistakes don't have a legitimate
16 opportunity to engage in transforming behavior.
17 Driver's licenses are so critical to their family
18 success and their personal success. The jobs
19 today and the jobs of tomorrow more often than not
20 won't be on the bus line. So people have to be
21 able to get there.

22 Driver's licenses are critical for folks
23 to get there. That is the first hurdle. Many
24 careers in the building and construction trades
25 will not accept an individual without a driver's

1 license. We have partnerships with a host of
2 companies today that if we had the barrier of
3 driver's licenses removed, I could put 200 people
4 to work today. We can't find enough people that
5 meet employer specifications to go to work.

6 To be able to earn, to start and earn
7 35,000 and \$40,000 a year truly transforms
8 people's lives. It gives them real choices that
9 they're able to make. It takes them off the
10 poverty list and many times not even being held up
11 by the safety net and turns them into taxpayers.
12 And the state will benefit from those additional
13 revenues.

14 We need your help, your leadership to
15 resolve that issue. Your committee has the
16 wherewithal and the ability to make that change.
17 We're asking that you continue to move forward
18 with this legislation from all the various
19 resolutions and pieces of the legislation that
20 have been submitted by Representative Wheatley,
21 Representative Saccone and Representative Miller,
22 meld that into a document that really gives people
23 an opportunity to rebuild their lives.

24 That's it, sir. Thank you.

25 CHAIRMAN JOZWIAK: Thank you very much.

1 Steve, please identify yourself and your
2 organization for our stenographer.

3 MR. SHELTON: Good morning, everyone.
4 I'm Steve Shelton, and I'm the founder and
5 executor director of the Trade Institute of
6 Pittsburgh. Very simply said, here at the Trade
7 Institute we put tools in people's hands and get
8 them jobs in the building trades. We're able to
9 take a student from a jail cell or off the street
10 to a \$15 an hour job in ten weeks.

11 This year alone, we have 94 percent job
12 placement rate with contractors throughout our
13 region. Our recidivism rate inside of a year is 4
14 percent versus Pennsylvania's 22.5 percent. Most
15 of our students have had challenging pasts,
16 whether it was that they did jail time or just
17 lack of opportunities. We found that they just
18 needed a hand up navigating the avenues to get
19 into a construction career.

20 Now, I believe God created everybody to
21 do something. If you've never had the opportunity
22 to do what it is He created you to do, you're
23 going to find something to do, even if it's wrong.
24 That's what many of the students here have done.
25 Now they've paid their debt in jail. Let's help

1 them put their lives back together so they can
2 prosper.

3 Having worked 44 years in the building
4 trades, I know the value of having a career. I
5 worked as a laborer, a bricklayer, stone mason,
6 electrician, plumber, HVAC mechanic. In the early
7 '80s I was an aviation electrician in the United
8 States Navy. The reason for me starting the Trade
9 Institute was simply wanting to train others in
10 what I was trained in doing.

11 Another reason is ask any contractor you
12 meet what's the biggest challenge they have now or
13 see coming in the near future? And I promise you
14 one of the answers will be a lack of talented
15 craftsmen or women to fill the positions they
16 have, to complete the work they have on time and
17 on budget.

18 The talent on the other side of this wall
19 is undeniable. If you get a minute today, walk
20 through the space and take a look at some of the
21 work these went and women are doing. It never
22 ceases to amaze me the amount of talented people
23 we have locked up.

24 Here at TIP we do all we can to help
25 people prosper. We're here today to ask for some

1 help to make our job and our students' lives much
2 easier. That said, I want to thank everybody for
3 being here today, for taking time to address this
4 major issue in workforce development, the driver's
5 license.

6 We here at the Trade Institute can get
7 individuals \$15 an hour jobs all day long on a bus
8 line. But with a driver's license in their
9 pocket, the career possibilities expand
10 tremendously. For instance, we have a \$5 billion
11 fracking project just south of here that I can't
12 get industry certified welding graduates to
13 because of past offenses that keep them from
14 obtaining a driver's license.

15 As I sit here today, I see an incredible
16 amount of influence in this room. I ask today of
17 that influence to make this positive change so
18 desperately needed by some great people looking to
19 put their lives back on track. The number one key
20 to people successfully reentering society from
21 prison is a job.

22 There's one thing, and that's for sure.
23 The future is coming whether we're ready for it or
24 not. I ask here today that we change the driver's
25 license legislation so we can all go into the

1 future ready and prospering and letting those who
2 want to rebuild their lives be all they can aspire
3 to be.

4 Thank you so much for being here.

5 MR. NOBERS: My name is Jeff Nobers. I'm
6 the executive director of the Builders Guild of
7 Western Pennsylvania. We are a labor management
8 organization. Our members consist of 16
9 commercial construction trade unions operating in
10 Western Pennsylvania, a little bit into Ohio and
11 West Virginia as well, as well as the general and
12 specialty contractors that hire the members for
13 construction projects.

14 I'm not going to repeat much of what's
15 been said because we face the same issues and
16 believe the same things. What I can tell you is
17 this: On a daily basis, the biggest issue we face
18 is recruiting people into the construction trades.
19 One of the big barriers we do face is the lack of
20 a driver's license.

21 We require a driver's license. It's not
22 a negotiable situation. By nature of the
23 profession, you have to be able to drive and get
24 to where you need to be.

25 Our training centers are spread out

1 throughout southwestern Pennsylvania, so they're
2 not readily accessible by public transportation.
3 Steve mentioned the fracking plant. That's a 45
4 minute to an hour drive from here. There's no
5 public transportation to get you there.

6 When you look at our entire region, the
7 growth that is taking place now, that is forecast
8 to take place and will continue to, a lot of the
9 construction is not going to be within the
10 environment of the City of Pittsburgh or Allegheny
11 County where you can avail yourself of public
12 transportation.

13 This year alone, there will be nearly
14 \$4.7 billion in commercial construction completed
15 in this ten-county region. Next year the forecast
16 is in excess of 5 billion, and it continues to go
17 up, a little tougher to forecast in commercial
18 two, three, four years out.

19 But our viewpoint is that we are in a
20 building boom now that is not going to end any
21 time soon. The realities we face, we have 41,000
22 members today. Every one of our unions is
23 operating, for all intents and purposes, today at
24 100 maximum manpower. We're scrambling to keep
25 people moving from job to job.

1 We are actively and heavily recruiting on
2 a daily basis. And I'll tell you one of the most
3 frustrating things to come upon is doing community
4 job fairs, doing events for DeWitt where you meet
5 a lot of people that are good people. Did they
6 make a bad decision at some point in their life?
7 Yes, they did, and they readily admit that.

8 I've been with the recruiters from my
9 unions who have said this guy will be a great
10 operating engineer, but he won't have a license
11 for three years. So there's no way we can help
12 this person.

13 The biggest impediment to growth in this
14 region is going to be the skilled workforce. If
15 you look at the shift of the job market, we're
16 going to be in a situation in the next few years
17 where roughly 60 percent of the available jobs,
18 careers require technical skills. They don't
19 require college, but they do require a two-year
20 associate's degree, technical school training and
21 apprenticeship program.

22 In any of these cases, a driver's license
23 is going to be critical because all of these jobs
24 are not centrally located. The other factor is
25 people on reentry, I meet guys that come out of

1 prison. They'll say to me, "I have a felony. I
2 have a criminal background. Would I have any shot
3 in the union trades?" My question to them is, "Do
4 you have a driver's license?" And they say, "No."
5 I'll ask them when they're going to get it back.
6 Maybe three, four, five years.

7 My response to them is the felony is not
8 your issue. The lack of a driver's license is
9 your issue. We have a great number of members who
10 have gone through that, and they're some of our
11 most successful, hardest working people because
12 they appreciate that opportunity that they were
13 given to be able to change their life.

14 Just a couple of final points. Being
15 able to build a middle class life, a sustainable
16 family career once you complete our apprenticeship
17 program, which ranges three to five years
18 depending on the trade, the average annual income
19 for a union trade in this region is 65,000 a year.
20 Many make 80,000, 90,000 or more. They get full
21 comprehensive health. They have two pensions.
22 They have an annuity.

23 I mean, this is truly life changing for
24 people. These are not minimum wage jobs by any
25 stretch of the imagination. The sad fact is that

1 we're not going to be able to get enough people to
2 take advantage of these jobs. While the driver's
3 license issue is not the only issue that goes with
4 that, it's a significant issue.

5 We're faced with 15,000 members, and when
6 we go out six years, in that six- to ten-year gap,
7 we're going to lose about 15,000 members to
8 retirements. So not only do we need to replace
9 them. We need to get more people for everything
10 that's going to happen.

11 From the perspective of the Builders
12 Guild, the union trade contractors absolutely
13 agree with what everyone else has said. I think
14 it's imperative, and we are very proactive with
15 this, to develop legislation and a system by which
16 people can have that second shot at it and really
17 try to change their lives. Thank you.

18 CHAIRMAN JOZWIAK: Thank you.

19 REPRESENTATIVE KELLER: Thank you,
20 Mr. Chairman.

21 Justin, I just want to, again, reiterate
22 and get it on the record. You've had many
23 opportunities for good jobs?

24 MR. ALBRECHT: Yes, sir.

25 REPRESENTATIVE KELLER: Your criminal

1 convictions didn't stop you from getting those
2 jobs?

3 MR. ALBRECHT: No, sir.

4 REPRESENTATIVE KELLER: The one thing
5 that stopped you from getting these jobs is a
6 driver's license?

7 MR. ALBRECHT: Exactly.

8 MR. WALTON: If Justin had his driver's
9 license, he could go to work today. I can put him
10 to work today. If I had 200 young men and women
11 who met the employers' specs, and that's what we
12 do, if they were like Justin, we could put them to
13 work today. We could transform a host of
14 communities.

15 I'm sorry to interrupt and take it away
16 from Justin, but it's clear -- as Steve has
17 outlined, it's clear that there is more work
18 available than there are bodies to fill those
19 positions.

20 REPRESENTATIVE KELLER: That's what I was
21 going to ask Steve. If you have big project like
22 a cracker plant, most locals are already at full
23 employment. You don't have anybody on the bench
24 when you get a project like that.

25 MR. SHELTON: One of the key things that

1 I see happening is the amount of welders it will
2 take. They will be employing anywhere from 600 to
3 1000 welders on any given day down there. So
4 what's going to happen is the shops that are here
5 in Pittsburgh, you have all the small shops around
6 Pittsburgh, those guys can go down to that cracker
7 plant, make \$100,000 in a year. Now you've
8 emptied out the small shops. It's just a
9 compounding problem because of just the lack of
10 talent.

11 REPRESENTATIVE KELLER: Again, central to
12 this is you would probably be able to pick up that
13 talent if they had a driver's license?

14 MR. SHELTON: No doubt about it. You
15 have a young man sitting over here right now in
16 the welding program. As we speak, there's five
17 other guys over in the welding program right now,
18 state certified welders. We're certifying them in
19 four months. I can't get them to that cracker
20 plant. They don't have driver's licenses.

21 So we're working with the local shops,
22 trying to get them into local shops, but it would
23 be a whole lot easier. As this gentleman just
24 articulated, there's not enough bodies. The jobs
25 are there requiring a driver's license. If we can

1 put driver's licenses in their hands, it's the
2 difference from a \$15 an hour job to a \$20 to \$25
3 an hour job with benefits, 401(k) and everything
4 else that comes along with it. Great jobs working
5 with the unions.

6 REPRESENTATIVE KELLER: Thank you.

7 Thank you, Mr. Chairman.

8 CHAIRMAN JOZWIAK: Representative
9 Saccone.

10 REPRESENTATIVE SACCONI: I'd just like to
11 comment. I grew up working with my hands. I did
12 labor. I did construction, became an aircraft
13 mechanic. For some people, there's something
14 about working with your hands. It's transforming
15 for some people. Everywhere I tour -- I toured
16 these trade schools.

17 I just talked to some students down here.
18 Same thing. Some of them will say you know what?
19 I might have wandered around and got in trouble
20 before, but I found that I like to fix things or I
21 like to lay brick. Every day after I lay brick,
22 when I see my project done, I love it. I found
23 something in my life that I want to do now. It
24 could be a job that could produce an income for my
25 family and it's something I really love. It's

1 getting me off the track and the bad things I was
2 doing before.

3 That's another aspect of this whole
4 thing. Yes, these are good paying jobs, but
5 sometimes some of these people just need to find
6 something in life that they love, that they want
7 to do, that they can also earn them some money.

8 I've heard a lot of people say for years
9 now, "People just don't want to work." "We can't
10 find people that want to work." We'll I'm telling
11 you you have thousands of people that want to work
12 in Pennsylvania. They just can't get there.

13 That's what this whole thing is about.
14 We want to give them the chance to get there so
15 they can do what they love to do and that they
16 found can transform their life. I'm just trying
17 to summarize what all of you said. Thank you.

18 CHAIRMAN JOZWIAK: Representative Kortz.

19 REPRESENTATIVE KORTZ: Thank you,
20 Mr. Chairman, and thank you, gentlemen, for your
21 testimony and very compelling testimony.

22 Mr. Chairman, a comment and a question.
23 The comment is this: It's already been mentioned
24 about the cracker plant, thousands of jobs. It's
25 not on the bus line at all. They have to have a

1 car. They have to have wheels to get there. They
2 have to have a driver's license.

3 Another comment, we passed Act 89 three
4 years ago next month. And in Act 89 we're fixing
5 a lot of roads and bridges and those gentlemen
6 that are fixing those roads and bridges have to
7 drive. We have another big project starting in a
8 few years, Mon Valley Expressway. They're going
9 to hire tens of thousands of people to build that
10 roadway, that \$2 billion roadway. It's going to
11 start right here in Jefferson, come down past
12 Kennywood, go across the river. They're going to
13 build a bridge. It's going to head down to
14 Monroeville. We're going to need people that have
15 wheels to get to that place to work. Simple as
16 that. There's no bus line to take you where
17 you're going to be out in the middle of the woods
18 in Dravosburg to build that road, build that
19 bridge. We're going to need people. We're going
20 to need them to have wheels.

21 My question is this. Mr. Walton, you
22 said your group is a national organization.

23 MR. WALTON: Yes, sir.

24 REPRESENTATIVE KORTZ: Have you had
25 conversations with your counterparts in some of

1 these other 44 states where they do have the
2 nondriver suspension removed from the feds? Have
3 you had conversations with your counterparts and
4 has that helped them? Any feedback on that issue?

5 MR. WALTON: Relative to the driver's
6 license issue, it is problematic in many
7 locations. Over the last two months, I have met
8 with our counterparts in the Detroit where our
9 organization is working with Detroit construction
10 trades. Just this past week I spent a number of
11 days in St. Louis where I met with our
12 counterparts in St. Louis. The U.S. Government is
13 building a \$1.7 billion geo-spatial intelligence
14 center right there in north St. Louis. And we're
15 building up an alliance on how we can manage and
16 do some of the similar things we're doing here in
17 Pittsburgh.

18 I've met with individuals in Baltimore
19 less than three months ago about moving a replica
20 of what we do in Pittsburgh to Baltimore. We are
21 doing some unique kinds of work. But again, those
22 artificial barriers that are there need to be
23 removed. If we are going to transform our
24 communities, if we are going to really reduce the
25 cost of doing business of government, we have to

1 remove those artificial barriers.

2 If I may stray just a second, while I
3 don't want to convey in any way, shape, form or
4 manner that everyone we do business with has been
5 previously incarcerated, one out of three
6 individuals that we do do business with has been.
7 In the federal system, according to the latest
8 numbers that I have had shared with me, it cost
9 \$29,000 a year to house someone in the federal
10 correctional system. In Pennsylvania as recently
11 as four years ago, the costs in SCI was \$36,000 a
12 year.

13 If we can reduce the number of people
14 that we're housing in our correctional system,
15 that reduces our cost of doing business as
16 government. Those resources can be allocated to
17 other critical segments of our society and just
18 reducing the cost of government in its entirety.

19 So it seems to me that those artificial
20 barriers like driver's license suspensions in its
21 entirety need to be reviewed, need to be modified,
22 need to be addressed in a constructive way so we
23 can add taxpayers to the roll as opposed to adding
24 to the cost of government doing business.

25 CHAIRMAN JOZWIAK: Thank you.

1 We're going to go to Representative
2 Gaine, and hopefully we can get on with Judge
3 King here.

4 REPRESENTATIVE GAINEY: Thank you,
5 Mr. Chairman.

6 I firmly believe sometimes you got to
7 fall down in order to find life. I believe
8 everybody does have a gift.

9 My question is: How many people come
10 through your program feeling that they really have
11 a second chance. You guys have given them the
12 second chance, and now they're really ready to go
13 to work. They've moved from boys to men, girl to
14 woman. They've completed the course. They're
15 ready to go to work. Then they feel rejected
16 because of the driver's license situation, and
17 they end up retreating back to the same world we
18 tried so hard to remove them out of?

19 MR. WALTON: Justin, what did we talk
20 about today?

21 MR. ALBRECHT: Same lifestyle I was
22 living. I hung in there. I'm sticking in there.
23 This program really changed my whole mental mind,
24 like taking me to different trade centers. Like
25 Saccone said, it enlightened me. I was proud of

1 myself. The driver's license thing is just
2 killing me, man. I have so many job opportunities
3 I just can't get.

4 MR. WALTON: And Justin is just one
5 example. This man sitting here, Al Hinds, is
6 another one of our graduates that we -- really I
7 don't know what the judge is going to talk about,
8 but we found some judiciary that have taken the
9 extraordinary step of reducing his fines to a
10 point that he can pay and now he's been able to
11 transform his life again. He's currently employed
12 by the Allegheny County Department of Parks. So
13 he's been able to transform his life.

14 We were able to find a couple of judges
15 in Butler County that we were able to write
16 letters and urge them based upon his performance
17 that he needed a second chance. So we've been
18 able to make a difference. It happens every day.

19 This young lady here is out in the street
20 every day making a difference, recruiting people,
21 identifying their needs and their challenges and
22 building a network that we can fix what has gone
23 so wrong in too many people's lives. We want to
24 add value. We want to build a network. We want
25 to make America and Pittsburgh...

1 (Audience in unison "Say it.")

2 MR. WALTON: As Ronald Reagan said --
3 I'll give you a Ronald Reagan quote -- the House
4 on the Hill.

5 REPRESENTATIVE GAINEY: I thank everyone
6 here. The reality of the situation is everybody
7 here falls down. Some of them got back up. But
8 at the end of the day, it's about changing the way
9 we do these driver's licenses, removing something
10 that keeps people from going to work. Thank you.

11 CHAIRMAN JOZWIAK: Thank you very much.

12 Our next witness is from the Special
13 Court Judge's Association, Honorable Richard King,
14 the District President of Allegheny County.

15 Thank you so much for being here. We
16 have a hard time staying on track. I know you
17 have a busy schedule. We apologize. We think
18 your testimony is worth it.

19 JUDGE KING: I'd like to thank you for
20 being invited. My name is Richard King. I am a
21 magisterial district judge in Allegheny County,
22 specifically the City of Pittsburgh and the
23 Borough of Mount Oliver. I'm here representing
24 the Special Court Judge's Association of
25 Pennsylvania, which is a group that represents the

1 magisterial district judges as well as the
2 Philadelphia municipal court judges.

3 As a group, we don't really get involved
4 for or against any set legislation. We help in
5 working with the House and Senate on bills to make
6 sure that they work. A lot of the bills we have
7 no issues and believe that it's the right thing to
8 do.

9 There's a couple things on 1777. It
10 states in the bill an established amnesty program
11 shall be administered by the court in cooperation
12 with the department. We would have no real way to
13 administer the program because we have no access
14 to certified driving records, access to know if
15 they have violations in multiple offices even
16 within the county, let alone the state.

17 We feel it should be a program
18 administered by PennDOT in cooperation with the
19 courts. A lot of that has to do with amnesty on
20 fines. We do and are required to have paid
21 determination hearings to get people on payment
22 plans and as low as they can. One of the problems
23 in the vehicle code, we are not allowed to give
24 community service as an alternative to fines.
25 We're prohibited from that. And I believe it goes

1 back many, many years.

2 The ability is to pay money or go to
3 jail. In every other case, criminal cases that
4 are reduced, nontraffic violations, harassment,
5 public drunkenness, whatever it may be, we have
6 the ability to give community service rather than
7 fines. We do not under Title 75.

8 That would be a big help to a lot of
9 people if that got changed, that as an
10 alternative, we could give community service, not
11 at the original adjudication, but when it comes to
12 the fine and cost hearing. Right now we're
13 prohibited from both.

14 As an example, if someone has a red light
15 violation, we would still suggest that the initial
16 would be the fine. And then if the person didn't
17 have the ability to pay or was struggling to pay,
18 then during the fine and cost post-adjudication,
19 there would be the ability to do the community
20 service.

21 As far as the rest of the bill, it does
22 refer to the payment plans, that the suspension
23 would be lifted. That does happen now and would
24 continue to happen under this bill. The stories
25 that were told here we hear every day, every day.

1 As much as people are in suspension
2 status due to nonpayment of fines, there are more
3 people that are just in suspension status. They
4 don't owe any money to anyone. They got caught up
5 in this web. It's not uncommon at all in my
6 office and many others to have someone come in
7 that's suspended for 5, 7, 12, 16, 22 years. Much
8 of it goes back to a truancy violation when people
9 had a suspension.

10 But PennDoT is not required to mail
11 anything certified. People are very transient. A
12 notification will come to someone's house. The
13 restoration fee he spoke of, if you don't
14 acknowledge and enter the restoration fee, the
15 time doesn't start. So you have someone at 16 or
16 15 got a truancy violation, was found guilty, had
17 a six-month suspension or three-month suspension.
18 Parents moved or a parent got it and thought "I'm
19 not paying \$60. I don't even own a car."

20 Six years later, he's trying get into a
21 program, trying to get a GED. He still has to
22 serve the six-month license suspension. We see
23 that happen all the time on nondriving violations,
24 truancy and the underage drinking. The truancy
25 (indecipherable) now gives us -- before it was

1 mandatory -- and now it gives us the right as an
2 option to suspend the license or not. In a case
3 where it would matter or we feel it would matter,
4 we could. If it didn't, we wouldn't.

5 Underage drinking is still a mandatory
6 situation. We had hoped at one point there was
7 something that on those type of issues, regardless
8 of serving the time, at age 21 they automatically
9 were eliminated. That never happened. But that's
10 another huge hangup. Younger people don't always
11 get the notifications, mainly because they still
12 depend on their parents to do it and that doesn't
13 happen.

14 We have no problems. We want to offer
15 that our legal code committee works on House Bill
16 1777 to try to work on how that program would
17 work, be administered. We would assume that
18 PennDoT -- the person would give the
19 documentation. PennDoT would then print some type
20 of a document they would either mail to us or that
21 person would bring to us. Then we can institute
22 the rest of the plan on the amnesty on fines or
23 reducing the fines or whatever that may be.

24 That's what we would suggest the bill
25 would work. But like I stated, I can't state

1 enough, unfortunately, we see people in situations
2 like this on a daily basis wrapped up in a lot of
3 suspension time that, quite frankly, doesn't seem
4 to make sense. They lose their ability to drive.
5 And people in situations do drive because in
6 today's time, they need to feed their family or do
7 something. So they drive, get hung up again. Now
8 they get another driving suspension, which is a
9 year if you're convicted of it.

10 Many times they'll plead their case to
11 the police officers. The officers will maybe ask
12 to amend the section that doesn't give you
13 suspension time. They're still sitting on six,
14 eight, ten years of time, which is not productive
15 for anybody. As far as any worry of the fine, a
16 lot of these cases will not collect that money now
17 because they don't have the ability to do any type
18 of a job to get money to pay a fine because the
19 suspension. So it's a Catch-22.

20 That's all we really have. No problem
21 with any of the bill. Just on 1777, try to work
22 on that. We wouldn't be able to have the ability
23 to actually administer the program.

24 CHAIRMAN JOZWIAK: Mr. Arroyo, the judge
25 is here. Would you respond to the judge's opening

1 comments.

2 MR. ARROYO: Section 1592(b) actually
3 states that the court shall provide the department
4 with a list of all individuals who are delinquent
5 in paying fines.

6 JUDGE KING: We do do that. When someone
7 is delinquent in paying fines, we issue what's
8 called a DL 38, and that's transmitted to PennDoT
9 and then puts them in a temporary suspension
10 status regardless if they're suspended or not. It
11 also adds a temporary suspension status because
12 that happens if they do not respond to a citation,
13 moving violation, or if they are delinquent on
14 paying fines and costs for legal code violations.
15 That does happen on that end.

16 But as far as knowing who would qualify
17 on some of the other issues, it would be PennDoT
18 that would need to process the amnesty request and
19 then send us something. That's all I'm saying.

20 MR. ARROYO: PennDoT doesn't actually
21 track fees and fines. So if an individual applied
22 for amnesty, they have to pay the court the
23 court's fine or fee. So I see where the court
24 would be the party to approve whether someone has
25 been granted amnesty and then that information

1 sent to the Department, and we would take it from
2 there.

3 But we don't track financial information
4 in regards to -- we receive the default in payment
5 or 1533 CCA. We record failure to respond and
6 default in payments. It's where we don't make
7 calculations based off of certain other outside --
8 because it said in the bill that the individual
9 has to pay a certain percentage if they fall into
10 like a scale where you have to pay a hundred
11 percent of the fines, but then the penalties and
12 fees are basically excused. Then if you file your
13 appeal for amnesty within the first 90 days --

14 JUDGE KING: What penalties or fees have
15 you encountered?

16 MR. ARROYO: The bill states fines, fees
17 and penalties. I'm assuming they're late fees.

18 JUDGE KING: There would be constable
19 fees. That's the other issue. If they don't
20 respond and you send out a warrant and a constable
21 comes, a fee gets paid. Then to waive the fees,
22 that would either be -- somehow go back onto the
23 county because the system (indecipherable).

24 I'm glad you brought that up. That was
25 another issue, fees, court costs, because there's

1 a multiple amount of court costs nowadays on --
2 the fine has stayed the same. \$25 red light fine
3 is still the same, but when you add up all the
4 fees, it comes out to \$130, emergency EMS and all
5 those other fees.

6 Does that get eliminated? Does the
7 county get eliminated from their portion of the
8 court cost? Does the state get eliminated?

9 Those were issues that we assume
10 PennDoT -- like who would we call? PennDoT would
11 certify someone is qualified for that. That's
12 where our committee is confused and wanted to meet
13 further about the bill.

14 MR. ARROYO: I'm not sure.

15 CHAIRMAN JOZWIAK: In terms of both the
16 1777 process discussion, I want to make sure our
17 staff listens to this because I would imagine each
18 driver would start out with a requirements letter
19 listing everything that he or she has to do, which
20 happens now, right? If you want to get your
21 license back, you have to pay a fine in Butler
22 County, maybe pay a fine in Ohio for that matter,
23 Philadelphia we have people with Jersey fines, and
24 then work through it.

25 It's going to be a tremendous educational

1 process. It's probably going to fall on you.
2 We'll continue to work that out.

3 Sir, identify yourself for the purposes
4 of the record.

5 MR. OSHELL: I'm Donald Oshell with the
6 Prothonotaries and Clerks of Court Association for
7 Pennsylvania. With me is Bryan Kline,
8 Westmoreland County Clerk of Court. We use the
9 Administrative Office of Pennsylvania Courts
10 database systems both at the common pleas level
11 and district court level. Ours is the Common
12 Pleas Case Management System. Theirs is the
13 Magisterial Judge System. The system interacts
14 with PennDoT electronically in regard to DL 21s,
15 DL 23s, DL 38s in notifying the Department of
16 suspensions.

17 When I read the bill, it would probably
18 be more likely refer to the Administrative Office
19 of Pennsylvania Courts in developing a listing of
20 all those drivers who have been suspended for
21 failure to pay costs, fines and restitution as
22 well as those failing to respond. From that
23 listing, the court's perspective as to what is
24 owed, PennDoT can then respond and develop the
25 program in conjunction.

1 I agree with the judge, something that we
2 would need to clarify in this language going
3 forward. My initial read of the bill was it was
4 simply going after defaults, but it seems the
5 scope is broader. If that's the case, that's a
6 whole different cart of apples.

7 We were concerned it was going to affect
8 our enforcement mechanisms. A lot of the business
9 practice that the bill describes we engage in at
10 the common pleas level as well as I'm sure the
11 district courts do as well. So I think it's
12 replication of our interactions with defendants in
13 failing to paying costs, fines and restitution.

14 If it's broader than that and it would
15 help eliminate successive offenses and
16 suspensions, I think that my association might be
17 in favor of it, but then it would likely generate
18 a lot of those cases getting their act together,
19 all the court documents (indecipherable).

20 That's kind of where we're at. There is
21 a lot of language in the bill that needs to be
22 clarified from an actual working standpoint.

23 JUDGE KING: That's what our committee
24 wanted to work with you on. It's really not
25 insurmountable at all. The Administrative Office

1 of the Pennsylvania Courts could do that because
2 they have it within the system. Because right now
3 even when someone tries to go to PennDoT, most
4 people in Pittsburgh actually go AAA, have to pay
5 money to get money the certified record because
6 for some reason, they can't get it for free from
7 PennDoT. That's what I'm told. We don't get
8 involved on that end. I only know what I have in
9 my office. That would be the nuts and bolts of
10 it.

11 CHAIRMAN JOZWIAK: It sounds like we have
12 a process to continue to work out. Make sure our
13 staff gets your information. Usually if I took
14 the chance of calling on people from the audience,
15 we could go really sideways. I'm glad it was very
16 relevant. That's why we usually don't do it. You
17 looked credible.

18 Any other questions any question for
19 Judge King?

20 JUDGE KING: We will be meeting in
21 Harrisburg, our quarterly meeting, the 13th and
22 14th of November. Our vehicle code committee
23 would love to talk further about this just on the
24 nuts and bolts. The idea is great. Nobody has a
25 problem with it. Hopefully it's successful, and

1 we can to get to help people.

2 CHAIRMAN JOZWIAK: We appreciate your
3 comments. I'm sure that we'll be back to you to
4 coordinate. We're going to continue to hear about
5 why we should have this bill, but the how
6 sometimes is a problem. But we'll get there.

7 Thank you.

8 JUDGE KING: Thank you.

9 CHAIRMAN JOZWIAK: We're going to next
10 hear from Joyce Douglass. Joyce Douglass is from
11 the probation and parole system.

12 MS. HOLLIS: Thank you so much. My name
13 is Anna Hollis. I represent an organization
14 called Amachi Pittsburgh. We provide support to
15 children and families of the incarcerated,
16 including custodial parents as well as
17 incarcerated parents just before they're being
18 released back to the community.

19 We take a holistic approach to ultimately
20 breaking the intergenerational cycle of
21 incarceration. We want to make sure we provide
22 the tools, training and support that children and
23 families need to break that cycle themselves, to
24 make those decisions that are going to lead to
25 more productive lives. We are working with a

1 number of organizations who are represented here
2 today. We can't really move the needle on the
3 issues we're confronting without policy reform.

4 So I thank you, Representative Saccone
5 and Representative Wheatley and the others, who
6 have introduced legislation that will enable
7 parents to -- and not just parents. I recognize
8 that there are many individuals who are
9 incarcerated who are not parents. We have a
10 particular focus on parents because more than half
11 of those who are incarcerated have minor children,
12 and those are the ones who suffer most,
13 particularly the trauma.

14 Thank you for the work you're doing. I
15 hope we can rely on you to advance the bills on
16 the driver's license suspension requirement. I
17 think we have a bit of a unique perspective, not
18 that you need much more of a case to support this
19 legislation.

20 The unique perspective we offer is from
21 what children and families suffer when a parent is
22 incarcerated. I don't think that people think
23 much about that. I know children and families
24 haven't been considered much in the policy arena,
25 particularly when it comes to the criminal justice

1 system. People focus on the offender and the
2 victims of that offender. People just don't
3 realize how kids are affected and how caregivers
4 are affected because they're the brunt of this.

5 The burden is really borne by women and
6 children. So there has been a growing body of
7 evidence to show what the impact has been on kids
8 and family. There was a very large scale and
9 recently released reports in the Journal of
10 Adolescence that document the effects on kids and
11 families with regard to their mental and physical
12 health outcomes, with regard to academic outcomes
13 for youth and with regard to particularly
14 financial. That's a huge thing because I think
15 recent studies have really shown the link between
16 poverty and incarceration.

17 When parents don't have the ability to
18 provide for their families, they're, in effect,
19 placing their kids in a situation where they're
20 going to grow up poor and continue in that cycle.
21 That's what leads to the kinds of behaviors that
22 lead to incarceration. We have had focus groups
23 with our teams over the years and just asked them
24 to share with us how they experience parental
25 incarceration day to day.

1 One of the things we learned that was so
2 disturbing for me was that the boys in particular
3 feel a tremendous sense of responsibility to step
4 up to the plate. When they know how much mom is
5 struggling, as the man in the family when dad is
6 away, they're looking for ways to help support the
7 family.

8 A huge national study showed that the
9 average family takes on \$13,000 in debt including
10 attorneys' fees and restitution and all the fines
11 and fees associated with having a parent
12 incarcerated, 13,000, when the parent who is
13 incarcerated on average made \$15,000 before
14 incarceration. They've, in fact, taken on as much
15 as that parent made in income. As I mentioned,
16 it's mostly moms, aunts, grandmothers who are
17 bearing the brunt of that cost.

18 As a result of that, they have
19 difficulty, about half, meeting their basic needs
20 including food, housing, utilities, transportation
21 and clothing. And what we learned from our boys,
22 they are willing to make a bad decision, to make a
23 quick run, quick drug run or something to that
24 effect, in order to bring some income into the
25 home, bring resources into the home to help meet

1 their basic needs.

2 That's a terrible predicament to be in.
3 We want to get the kids out of that situation so
4 they don't have to make those difficult decisions
5 and continue to fight. I'd like you to consider
6 the financial implications of parents. For us
7 this is an accountability issue, and we think that
8 everything that we can do to ensure that parents
9 are in a position to be accountable for providing
10 the financial support to their children and
11 families, the emotional support to their children
12 and families, but also stepping up to help the
13 caregivers who have been taking care of everything
14 in their extended absences, so they can step up
15 and help in getting kids to and from school, be
16 able to drive and participate in activities their
17 kids are involved in, getting kids to and from
18 doctor's appointments, being able to make it to
19 and from their own appointments, NA or AA
20 meetings, so they are in a position to support
21 their kids emotionally.

22 When they don't have the ability to
23 drive, the burden continues to fall on the family
24 members. Everyone has to adjust their schedules
25 to make sure they get to whatever job they're able

1 to secure, make sure they can get to their
2 appointments, to their doctor's appointments,
3 things like that.

4 I think if you could look at this from a
5 different perspective and recognize that we aren't
6 asking for handout. We're asking to hold parents
7 accountable for support of their kids and making
8 sure we're partners with them in helping to break
9 this cycle. The University of Pittsburgh
10 evaluated our programming we provide,
11 evidence-based programming. We were able to
12 demonstrate a 92 percent success rate with
13 avoiding any involvement in the juvenile justice
14 system and adult criminal justice system.

15 I don't know if you know this, but the
16 Department of Justice in the past has thrown out
17 statistics that more than half of these kids who
18 kill, their parents are behind bars. We
19 vehemently oppose that. We need to do everything
20 we can from the community side to support the kids
21 and parents. I'm asking you to recognize that the
22 parents who are returning home need to be able to
23 act in gainful employment to earn a living wage so
24 we can help to break the cycle. They should be
25 the ones paying down that debt the families took

1 on. It shouldn't be the custodial parent, the
2 kids and young boys figuring out ways to help mom
3 buy groceries and to get the lights and gas turned
4 back on.

5 This is a tremendous burden for kids.
6 They shouldn't be in this position. Anything that
7 you can do including passing these bills I
8 appreciate. When you are passing bills and
9 drafting legislation that's going to impact
10 adults, remember there are kids and family members
11 involved.

12 Kids who have had incarcerated parents
13 have a higher incidence of attempting suicide, of
14 engaging in substance abuse, 2.5 to 4 times more
15 likely than their peers to experience mental
16 health issues. We know there's a strong link to
17 crime and incarceration.

18 Thank you for your attention. Please
19 remember the children and help us to continue to
20 break that cycle of incarceration.

21 CHAIRMAN JOZWIAK: Thank you.

22 Joyce Douglass.

23 MS. DOUGLASS: My name is Joyce Douglass.
24 I was employed by the Commonwealth as a parole
25 agent in the Pittsburgh district for 25 years. I

1 retired in 2015. During that time, I believe
2 everyone deserved a chance to set a goal for
3 reentry. There are many roadblocks that prevented
4 that.

5 Upon my retirement, I had told one of the
6 individuals on my caseload, who you'll hear
7 testify shortly, I would try to do something to
8 change this. I had no idea how I was going to do
9 that.

10 I want to thank you, Rick Saccone, so
11 much for taking the time to sit down when I went
12 to him with this issue to look at it and to
13 understand it and to really understand that this
14 is something that is so desperately needed to be
15 changed. Earlier in my career, I discovered those
16 on my caseload I could help and those I couldn't
17 help. It was a continuum.

18 I had about 20 percent at the top I would
19 have never even have had to look at. They would
20 not reoffend. I had about 20 percent at the
21 bottom who were ingrained in the criminal element.
22 They were not ready to change. There was really
23 nothing I could do to change that. The best I
24 could do with them was just monitor them for
25 public safety.

1 But I had that 60 percent in the middle
2 that I had to work with, however, and with those
3 people my job and their job was really burdensome
4 in many respects because I often felt I was
5 setting them up for failure. They could come into
6 my office, and I would sit there initially and go
7 over their conditions, tell them what they needed
8 to do. Things they needed, find employment,
9 attend NA and AA meetings and other mandatory
10 meetings, support themselves and their families,
11 pay their costs, fines, restitution, supervision
12 fees, urine bills.

13 And then I would look at them knowing
14 they didn't have the means to accomplish this
15 because we had taken away their driver's license.
16 I would just see many times people who came in and
17 talked to me had no idea they did not have a
18 driver's license until I told them. Every hope
19 and dream they had while they were thinking about
20 changing their life was dashed because they had no
21 means to do what they had planned to do.

22 There were many of the people that I had
23 that had been trained in the institutions. Some
24 were trained like for license inspections and so
25 forth, but when they came home, they couldn't do

1 those job they had been trained for in the
2 institution because we had taken away their
3 driver's license. Keep in mind, most employers
4 and landlords require a valid license as a
5 condition of employment or apartment.

6 Not having a license creates an economic
7 instability and undermines occupational, housing
8 and educational choices for these people,
9 effectively keeping them in poverty. And if they
10 follow the rules, they have to settle for
11 unemployment or a substandard job and forgo their
12 education. Some say public transportation is the
13 solution, and it isn't. Aside from diminishing
14 bus routes in areas and other areas that have
15 none, most of the jobs in the metropolitan areas
16 in the last 20 years have moved away from the
17 central business district.

18 Now only one in five jobs are located
19 within one to three miles of the central business
20 district. 30 percent are three to ten miles away,
21 and 45 percent are 10 to 35 miles away, and all
22 these jobs that are there are just unavailable for
23 somebody who does not have a driver's license.

24 In my experience, there are three
25 roadblocks to successful reentry, safe sober

1 affordable housing, employment and license
2 suspensions, and of those three, license
3 suspensions is the easiest to rectify. If we
4 rectify that situation, there will be many more
5 job opportunities, and people will be able to
6 secure housing.

7 According to the American Association of
8 Motor Vehicles, there's no evidence at all that
9 indicates that suspending a persons driver's
10 license for social nonconformance reasons is
11 effective in gaining compliance with the original
12 driver's license suspension. So why do we
13 continue to do it? It's a punishment that is
14 excessively cruel, and I don't think there's
15 anything more cruel than keeping a person from
16 being able to support themselves and their family
17 and having self respect.

18 Adding another layer of sanctions over
19 and above the criminal penalty, such as license
20 suspension, is excessive. Many individuals find
21 themselves with years of suspension to serve, and
22 this practice is akin to keeping them in a
23 geographic prison. They can only go as far as a
24 bus takes them and many have no buses. They're
25 almost on house arrest because they have no way to

1 get around.

2 I hope that you will consider these bills
3 and support them and end this policy we have and
4 allow the fundamental right to successful reentry.
5 I also wanted to mention that I hear the argument
6 that people feel we should still let the courts be
7 able to suspend the license if the court deems
8 because as the policy stands now, the court can
9 suspend a license if they deem a vehicle was used
10 in the commission of a crime.

11 The problem with that policy is I don't
12 know any crime, unless you commit it in your
13 house, that you don't use a vehicle to commit the
14 crime. It becomes very capricious and arbitrary.
15 Some of those suspensions can be extremely long.
16 And I really think that policy needs to
17 be changed.

18 Somebody asked a question about how many
19 licenses are suspended for child support. I have
20 some of that information. Matt Stroud from the
21 ACLU was able to get some money because PennDoT
22 did not have those figures available. So we had
23 to pay to have them do the research.

24 But as far as license suspensions just
25 for child support from 2011 till 2016, just those

1 suspensions alone were 46,383.

2 Last year alone, this isn't taking into
3 consideration any of the minor people not paying
4 their tickets kind of suspensions and those
5 things, just the minor list that I have of these
6 suspensions just in the last year was 44,454 just
7 for last year. If anybody would like that
8 information, I can get that to you. Thank you.

9 CHAIRMAN JOZWIAK: Thank you, Joyce. We
10 appreciate it. I know the more testimony we hear,
11 it looks like we have to even broaden the scope of
12 some of these bills. I appreciate it.

13 REPRESENTATIVE JOZWIAK: Derek, why don't
14 you start.

15 MR. DOLANCH: My name is Derek Dolanch.
16 Thank you for the opportunity to testify on
17 license suspensions. I was convicted of burglary
18 that I committed while in active drug addiction.
19 I received a three-and-a-half to seven-year prison
20 term. I was released on October 17, 2013. Upon
21 release, I reported to my parole officer. During
22 my intake, she asked me if I had a driver's
23 license. I told her before I was incarcerated, I
24 had one. I needed to renew it.

25 She checked on this information and

1 informed me that I, in fact, had a 22-year
2 suspension. I had no idea my license had been
3 suspended at all, let alone for 22 years.

4 Initially, I lived with my elderly grandparents.

5 I was required to attend NA meetings and
6 find employment. My elderly grandparents drove me
7 to and from meetings all winter long in a good bit
8 of snow and probably not the optimal conditions to
9 be out. I feel terrible putting them in that
10 situation, having to depend on them and others in
11 my in my family to drive me to all my
12 appointments, basically everywhere I needed to go.

13 I decided I wanted to become an
14 ironworker and looking forward to applying to the
15 union. I found out I wasn't eligible because I
16 didn't have a driver's license. Many
17 opportunities for employment weren't available to
18 me.

19 I lived with my grandparents, then my
20 mother for a while because I couldn't find a job
21 that paid enough to afford my own apartment. I
22 moved in with my girlfriend and found employment
23 several miles away. I actually rode a bicycle to
24 work. I made \$10 an hour. That job lasted a year
25 and a half until the business closed. I was on

1 unemployment. I was unable to find another job.
2 Many places I applied would not even consider me
3 because I didn't have a driver's license and a
4 criminal history.

5 Finally, I was hired by my current
6 employer and a family friend. The men that I work
7 with make up to \$5 an hour more than I do because
8 they can drive work equipment and dump trucks.
9 Initially, a coworker that lived nearby drove me
10 to work. Since then, he left the company, and
11 that job has fallen mainly on my significant other
12 to do all of our responsibilities because I cannot
13 drive.

14 I have a son. He's two and a half years
15 old. My significant other is responsible to get
16 me to work, getting him to and from daycare, all
17 of his doctor's and dental appointments, all
18 grocery shopping and everything that is everyday
19 life. This puts an enormous strain on our
20 relationship. We have different schedules.

21 She is up early in order for me to make
22 it to work on time, and then she has to take care
23 of him and get herself ready to go to work on
24 time. She takes him to daycare later on days that
25 she doesn't have to be at work until 10:00 a.m.

1 I'm usually done about two hours before
2 she's done with work. My son has to stay in
3 daycare two extra hours because I cannot pick him
4 up. On my days off, he stays at home with me. We
5 are stuck in the house. I want to take him
6 fishing and to the park and enjoy time with my
7 son, but I can't drive.

8 Once when I was with him, he fell and hit
9 his head. I had to call frantically to his mother
10 who was at work because I couldn't take him to
11 MedExpress or to the doctor.

12 I will max out my parole next month, four
13 years without a violation or dirty urine. I still
14 pay fines and restitution monthly. I still have
15 no license. I have to be put in the position that
16 will force me to drive, to break the law. Several
17 times my significant other has had to work late,
18 and we could not get our son home from daycare.
19 That's just one example.

20 I know I've committed crimes. I feel
21 like I've paid my debt tremendously. Next month I
22 will have completed my seven-year sentence. I'm
23 still being punished and so is my family. I don't
24 think being permitted to not provide for my family
25 is somehow serving a purpose. How is a 22-year

1 suspension just? All I'm asking for is the
2 opportunity to not be dependent or a burden to
3 others, to be able to say that I can support my
4 family. I say this on behalf of others who are
5 just like me. Thank you.

6 REPRESENTATIVE JOZWIAK: Thank you,
7 Derek.

8 Chelsey.

9 MR. SIRMONS: My name is Chelsey Sirmons.
10 My story is similar to his. I come from an
11 environment I made some bad choices. During this
12 time, I had my license. Then throughout active
13 addiction, convictions of simple possession and
14 paraphernalia, my license was suspended until
15 2026.

16 I'm currently a student in two schools,
17 one for social and human services, which I
18 graduate in December, and also CCAC for drug and
19 alcohol counseling, which I graduate in May, which
20 is going to be hectic. Come January I have to do
21 my practicum of 200 hours. How am I going to get
22 there?

23 I just left a job due to not being able
24 get there. I have two younger children that I
25 struggle to see. Recovery is my primary purpose.

1 Meetings are essential to my well-being for
2 anything, and I struggle to get to them.

3 It's just I'm not understanding how many
4 times I have to be penalized. I completed drug
5 and alcohol. I completed my probation. I'm two
6 and a half years clean, a student and life's
7 progression, but there's still this barrier that
8 does not allow me to like move on and conduct
9 myself as a man should.

10 An example, at a friend's house yesterday
11 I get a call. My grandmother had a stroke
12 yesterday. I couldn't get to my grandmother until
13 7:30 to see her in the hospital because I had to
14 wait for this friend to come and take me to the
15 hospital. I'm not understanding. There are a lot
16 of things -- contrary to my life, it's an
17 overwhelming stress. On top of in my active
18 addiction in my past lifestyle and my bad choices,
19 I've been shot twice and left for dead. So
20 there's that fear every day I go to get on a bus
21 am I going to run into one of these guys.

22 My court costs are paid. My restitution
23 is paid. Everything is paid. I sent away for the
24 probationary license, and they sent it back to me
25 denying me, saying you have to be three to six

1 years out before you can get it.

2 I'm not understanding this, not seeing
3 this on the website that I went through. Now I'm
4 waiting to apply for the occupational limited
5 license, but I have drug convictions, so I'm not
6 eligible.

7 I wanted to share my testimony and thank
8 all of you for hearing me. And hopefully, we can
9 find a way to get a solution to give back. My
10 past is a part of me. It doesn't define me. I
11 feel as though this whole license situation is
12 trying to define me and place me in this box that
13 I refuse to be in. I'm not going back to where I
14 came from.

15 My parents get sleep now. They're not
16 getting crazy calls. You know what I mean? They
17 can call me, and I can pick up the phone. It's
18 just a struggle of juggling life and waiting on a
19 bus. I spend more than half my life on a bus
20 going to school. I got to wake up two hours early
21 to start everything.

22 My debt to society is paid. I completed
23 probation. I completed my time. I completed
24 rehab. I did all that was required of me. I'm
25 not asking for a handout. I'm just asking for

1 some fairness. Just be fair.

2 With that, I thank you all for hearing
3 me. I hope we can find some solution, not just
4 for me, but for many others. Thank you.

5 REPRESENTATIVE JOZWIAK: Thank you and
6 Derek. That's why we're here. Sometimes we have
7 to look back on what we did and how we did it and
8 whether it makes sense. So I appreciate it.

9 James.

10 MR. SED: My name is Jim Sed. I'm an
11 ex-offender. As such, I am very active in
12 recruiting, job placement, retraining, workforce
13 development, volunteer work. I also am the
14 director of operations for a sales and service
15 company out of Nebraska. We have several new car
16 dealerships and washes under management. My
17 responsibility is to the washes in this part of
18 the country, operations, acquisition and business
19 development.

20 A little history that pertains to the
21 issues that we're talking about. I celebrated my
22 40th birthday in Phoenix, Arizona. I was a
23 corporate CEO. I was also in the throes of a
24 gripping opiate addiction. The nine years that
25 followed were a continuous uncontrollable downward

1 spiral.

2 Shortly after my 49th birthday, I was
3 escorted to a federal courtroom by U.S. marshals
4 in handcuffs in a business suit. A 130-month
5 prison sentence followed. I spent the first three
6 weeks in Allegheny County Jail in withdrawal and
7 very uncertain about the future. So the fog
8 cleared. I made a decision that I had to get my
9 life back on track, make a commitment to myself,
10 make a commitment to my family, to my son, my son
11 who just turned 15 when I went in and was 22 and
12 about to graduate college when I came home.

13 What lay ahead at that point in time
14 seemed insurmountable to me until I met many other
15 men in similar situations, the same situation as
16 mine. We had a common bond. As my head cleared
17 and I got clarity and I began to make progress, I
18 started to think what I needed to do wasn't going
19 to be attainable.

20 So I began to align myself with people
21 with like minds. I did take very proactive
22 approaches to reentry, but I was not unique. I
23 had the opportunity to witness transformations in
24 many, many, many other men. I interacted
25 personally over the eight years that I was

1 incarcerated with thousands of men, men who came
2 from conditions in their life who didn't stand a
3 chance. Not only did they not have opportunity.
4 They would not have recognized it if it hit them
5 in the face.

6 These men here -- I say men. We're all
7 incarcerated men -- found hope. Unhealthy
8 behaviors were stripped of them. They aligned
9 themselves with people who could best help them
10 when they returned home.

11 It's an interesting phenomenon to where
12 the conditions surrounding someone change and
13 their cognition and approach change along with
14 them. That's what I witnessed. What I also
15 witnessed was the fact that the single biggest
16 issue with every man who was coming out of prison
17 and wanted to do things the right way, I need to
18 get my driver's license back. I have to be able
19 to get around. I've got to get to work.

20 So we used our network inside. We used
21 case management and councilors inside to have
22 licenses reinstated prior to release.
23 Unfortunately, the only individuals, myself
24 included, who could have driver's licenses
25 reinstated were those who did not have a

1 court-imposed suspension.

2 There's the disconnect. At least if you
3 have a suspension, you have an opportunity to get
4 reinstatement. I came out, got my driver's
5 license reinstated and began to rebuild.

6 The irony is, and Representative Saccone
7 touched on it and the resolution we're talking
8 about today speaks to it, mine was a federal drug
9 conviction, federal drug conviction. Yet the
10 mandate that makes the State of Pennsylvania
11 suspend licenses for drug convictions is federal.

12 My license was not suspended as a result
13 of my activities. My license went away as a
14 result of the length of time I was incarcerated.
15 We talk about the next step, how complicated would
16 that be. Let's get to the next step. That's what
17 we're here to do.

18 The window of opportunity for a man or
19 woman coming out of incarceration to really
20 successfully actively reenter is much, much
21 narrower than anybody thinks. I witnessed it
22 firsthand in real time as I transitioned from
23 prison to the halfway house, back out into the
24 world. I didn't have a license. I had to walk to
25 a bus stop a couple of miles. Although my final

1 destination was in the city, I still had to get to
2 the bus stop.

3 Many people don't even have that
4 opportunity. The window is very narrow. And when
5 hopes are dashed, and when failure begins to sink
6 in, guess what else happens. Unhealthy
7 relationships, destructive patterns of behavior,
8 falling back into familiarity, which is the
9 default move, and criminality again. I need
10 money. I need to take care of this. I need to
11 take care of my mother, as Anna mentioned earlier.
12 All this stuff is true.

13 So now I'm once again employed. I have
14 so much power, like nobody you know, towards
15 hiring ex-offenders. I still have to operate in
16 the best interest of the company I work for. For
17 that reason, first of all, I've experienced some
18 tremendous joy in putting men back to work and
19 women, but I've also endured the pain of having a
20 difficult conversation with someone who, but for
21 the lack of ability to get to and from the
22 workplace, deserve the same opportunities, was my
23 sentiment.

24 Employers are self leaning towards
25 ex-offenders now. Reentry initiatives are being

1 supported. Recidivism is the buzz word. So with
2 all of these things being at what appears to be
3 the forefront, I hope this is true and not just a
4 media event, what appears to be the forefront is
5 reentry, reducing recidivism, reducing
6 incarceration, reducing the incarcerated
7 population, why do we deny opportunities to the
8 men and women. It flies in the face of logic.

9 One other thing. I offered a job to a
10 man a couple of weeks ago who had been
11 incarcerated for 15 years who was in the process
12 of getting his license back because he could, not
13 because he wasn't -- because he was suspended for
14 any other reason. And he sat down and said to me
15 and then he broke down in tears. That's how
16 impactful a second chance is. That's how
17 impactful a fresh start is.

18 If I hadn't had a driver's license, my
19 own opportunity would not have come. This only
20 makes sense. Let's not get caught up in the red
21 tape like always happens. Get this thing over
22 with. Push it through, and let's move onto
23 something else. There's a lot of things that need
24 to be done. This is a great first step. Thank
25 you so much. Sorry I spoke a little longer than I

1 was supposed to. I appreciate the time.

2 REPRESENTATIVE JOZWIAK: We appreciate
3 it. Thank you, Jim, Chelsey and Derek. We
4 appreciate you for telling your story.

5 REPRESENTATIVE KELLER: If somebody was
6 reporting to you and they came in and they had a
7 traffic violation for driving under a suspended
8 license because they had to get somewhere, what
9 would happen to them if they were on probation, on
10 parole?

11 MS. DOUGLASS: Things have changed so
12 much. Originally back in 1990 when I started,
13 they probably would have gone back to jail. We
14 would have put them back. Now I believe what
15 they're doing is maybe putting something on, an
16 ankle monitor or some sort of sanction like that.
17 It used to be way more severe than it is now.

18 The problem now that's going on
19 apparently is that there are no halfway house beds
20 anymore where they put people when there have been
21 issues. The only thing they do now is put on an
22 ankle monitor.

23 REPRESENTATIVE KELLER: If they wear
24 ankle monitors and they violated again, what would
25 happen?

1 MS. DOUGLASS: Again, it's quite a
2 different story today. Now probably I'd say
3 probably nothing.

4 REPRESENTATIVE KELLER: That answers it.
5 Thank you.

6 MR. HUFFMAN: Good morning. My name is
7 Nathan Huffman. I was told we have a few minutes.
8 Forgive me if I speak quickly. I'm going to talk
9 to you about some of the ways not having a license
10 has affected my life.

11 Despite being in recovery from heroin
12 addiction for the past nine years, my license
13 remains suspended and will remain suspended for
14 several more years to come unless a change is
15 made. The most significant way not having a
16 driver's license has impacted my life is my
17 limitation on where and what kind of work I can
18 do.

19 Despite having a bachelor's degree from
20 California University of Pennsylvania in justice
21 studies and again being in recovery for quite some
22 time, I have been unable to find permanent
23 full-time work. Having a criminal record, despite
24 being devoid of any violent crimes or felonies,
25 makes finding employment challenging enough.

1 Regardless of my degree and years of doing the
2 next right thing, I've been turned down for
3 countless job opportunities.

4 Now, imagine, if you will, having a
5 ten-minute radius around your home that you must
6 find work. Factor in living in the country away
7 from any public transportation as well as having
8 the aforementioned criminal record. It makes
9 finding gainful employment and moving on with my
10 life nearly impossible.

11 The only reason I'm able to work at all
12 is because I'm fortunate actually to have a loving
13 family who continues to support me. Because of
14 this, I've been able to take on a volunteer
15 position at the Allegheny County Jail. Every
16 Friday morning I teach an addiction and recovery
17 class to inmates on a faith-based recovery pod
18 called the HOPE pod, a program I graduated in
19 2008.

20 I've been doing this for over a year now.
21 Because of my volunteer work, I'm blessed to work
22 with the HOPE organization. Twice a week I teach
23 reintegration classes to inmates who had been
24 sentenced to life in prison as juveniles but now
25 as a result of the 2012 Supreme Court decision are

1 eligible for parole.

2 This job has done so much for me
3 emotionally and spiritually. Working with men,
4 some who have been incarcerated for over 40 years,
5 it's done so much for me that I decided to pursue
6 prison ministry as a career.

7 While I'm beyond grateful for this
8 position, it provides nowhere near the amount of
9 money necessary to move on with my life. It's a
10 wonderful stepping stone and a tremendous
11 opportunity to get my foot in the door. However,
12 full-time employment is paramount to achieving my
13 goals.

14 There are additional opportunities
15 available through the HOPE organization, positions
16 I know I'm qualified for. Unfortunately, without
17 a driver's license, I can't get to them.

18 In addition to helping me with finding
19 full-time employment, having a driver's license
20 would be a tremendous help to my family in so many
21 ways, none greater than attending to my mother
22 who's suffered with multiple sclerosis for over 15
23 years. While I attempt to help my father in any
24 way I can, I can only do so much, but I could be
25 doing so much more. Having to drive me to the

1 subway so I can get to work, my doctor's
2 appointments, not to mention running my mom to her
3 doctor's appointments and everywhere else she
4 needs to go, is extremely taxing to my father.

5 Add to that grocery shopping as well as
6 every other necessity required to run a family.
7 At nearly 73 years old, he's being run ragged. If
8 I were permitted to run the simplest of errands,
9 running to the pharmacy to pick up one of my
10 mother's multiple prescriptions or to the store
11 for bread and milk, these things that most people
12 take for granted would be a tremendous help.
13 These are the years when kids are supposed to
14 start looking after their parents, not the other
15 way around.

16 In closing, I'd like to thank you all who
17 attended today and for allowing me to speak.
18 January 5, 2008 I made a decision to do whatever
19 was necessary to get my life back. Since then,
20 I've remained out of jail and in recovery. I've
21 used the time since then to not only better my
22 life, but the lives of countless others. I've
23 done everything that's been asked of me and then
24 some.

25 Writing this reminds of me of a time

1 prior to to my addiction when I simultaneously had
2 a driver's license, a private pilot's license,
3 motorcycle permit and a boating license. Those
4 were some of the best times of my life largely due
5 to the fact that I was able to explore the world
6 and all of the wonderful things that it offers.
7 That's the type of life I envision when I made
8 that decision almost a decade ago.

9 Please understand that I do not consider
10 myself a victim. My license is suspended because
11 of the decisions I made in active addiction. I
12 stand before you today not asking to just be
13 handed my license back. Just give me a chance.
14 Every time I work with the juvenile lifers brings
15 feelings of hope and joy because we've shown that
16 despite being convicted of the most egregious
17 crime, taking the life of another, we decided to
18 give them a chance.

19 I implore you please give us a chance.
20 If I were given my license back today, I wouldn't
21 have a job tomorrow. I'd have one today. Please
22 give us a chance not 5, 10, 20 years from now.
23 Give us a chance today. Thank you.

24 REPRESENTATIVE JOZWIAK: Thank you.

25 MR. DIXON: Good afternoon. My name is

1 Stefon Dixon. I was convicted of possession with
2 intent to deliver that cost me my license for two
3 years. I've been filling out job applications in
4 person and filling them out online. They are
5 requiring me to have a license and reliable
6 transportation.

7 I applied for school. I applied for TIP.
8 I completed the masonry program, taking a bike to
9 work. They moved me on to the welding program.
10 I've been doing good there. There's job
11 opportunities out there for me at the cracker
12 plant in Beaver County, but I'm not being
13 considered to be at these places because I don't
14 have a license. And these jobs are paying over
15 \$20 an hour.

16 It's very discouraging knowing the work
17 is out there and I've gone through training,
18 waking up every morning to get there to better
19 myself and better my life, and I still won't be
20 able to do it. I'm not able to take care of my
21 family the right way that I need to and want to.

22 I live in Turtle Creek. It takes three
23 buses and over two hours to get to see my family.
24 I'm on house arrest. I spend 10 to 12 hours a
25 week. I have family and friends. They don't mind

1 helping me to go to places, driving me around, but
2 I've become a burden on them. I feel hopeless. I
3 feel weak. I feel like I'm not in control of my
4 own life. I'm struggling financially to go to
5 school, and I'm struggling to be a father and a
6 fiancé.

7 In order to change this, I feel like I
8 would need my license to obtain these job
9 opportunities to be a better man to my fiancée and
10 to my family. I can assist them with daily tasks
11 like taking them to the doctor's, diapers, picking
12 them up, dropping them off at daycare, swim class,
13 just being there at a moment's notice whenever my
14 kids are sick. In some circumstances, I even had
15 to drive without a license. My fiancée just had a
16 newborn son a month and a half ago. I had to
17 drive there. We don't live together. She's on
18 subsidized housing. I can't be there because of
19 my felony.

20 I also had to drive down to travelers aid
21 to get a bus pass so that I could make it to
22 school every day. I also go to job interviews. I
23 just feel like having a license will change my
24 life and give me the ability to be there for my
25 family, be a better father, be a role model for my

1 children. That's it.

2 REPRESENTATIVE MARSICO: Thanks to our
3 Chairman and thanks to everyone that was here
4 today. As the Chair mentioned, this was very
5 compelling information, and we'll take it from
6 here.

7 We have a lot of work to do though on
8 these bills. Conceptually, I think most of us
9 agree with the concepts of the bills, but there
10 needs to be some details worked out. Hopefully,
11 we'll be able to move on those issues.

12 Once again, thanks to all the
13 participants for being here. Thanks to the trades
14 for allowing us to be here as well.

15 REPRESENTATIVE PETRARCA: I agree with my
16 fellow chairs. I think this is a problem that's
17 been going on for a very long time. I think, as
18 was mentioned earlier, we all have district
19 offices. We all represent 65 or so thousand
20 people, and we hear it a lot. I think we want to
21 help. And I think we will work together. I look
22 forward to that. And I think we will have
23 hopefully legislation and a solution sooner than
24 later. Thank you.

25 REPRESENTATIVE JOZWIAK: Chairman Keller.

1 MR. KELLER: Thank you, Mr. Chairman.

2 As I had our first conversation with
3 Steve, I thought this was going to be a very
4 productive and informative public hearing, and it
5 is and it was. And I think we need these because
6 we have to find out what the problems are, how we
7 can help make people's lives better.

8 Thanks to you and Chairman Marsico. I
9 think we will be able to do that now because of
10 this hearing. Thank you all for testifying.

11 REPRESENTATIVE JOZWIAK: Well, thanks to
12 everybody. Going back to our Training Institute
13 here in Pittsburgh, thank you for pulling us out
14 of a situation there.

15 REPRESENTATIVE MARSICO: I also want to
16 thank Representatives Cohen and Miller for their
17 leadership on these bills. We appreciate the work
18 you've done, and we'll continue to help advance
19 the bills. Thanks.

20 REPRESENTATIVE JOZWIAK: With that, thank
21 you very much. This hearing is adjourned.

22 (Hearing was adjourned at 12:50 p.m.)
23
24
25

CERTIFICATE

I hereby certify that the proceedings are contained fully and accurately in the notes taken by me on the within proceedings and that this is a correct transcript of the same.

Ann Medis, RPR